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New York

SUMMARY RECORD OF THE 16th MEETING

Chairman: Mr. KALPAGE (Sri Lanka)

later: Mr. CHIRILA (Romania)

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The meeting was called to order at 3.20 p.m.

AGENDA ITEM 38: ELIMINATION OF APARTHEID AND ESTABLISHMENT OF A UNITED, DEMOCRATIC AND NON-RACIAL SOUTH AFRICA (continued)

Hearing of organizations and individuals having a special interest in the question (A/C.4/48/5/Add.8)

1. Mr. MANUEL (Observer, African National Congress) said that it was an honour to address the Committee on behalf of the African National Congress (ANC) and in the name of the South African people who, having fought relentlessly against centuries of oppression and vicious colonialism and decades of apartheid tyranny, stood poised to liberate themselves and, in so doing, enable South Africa to join the ranks of the free nations of the world. Happily, the current political developments in South Africa indicated that the present hearing might be the last of its kind, and that at the following session of the General Assembly, the delegation of a democratic South Africa would be occupying its rightful place in the United Nations.

2. A very delicate political process was under way in South Africa. On 24 September 1993, the President of the African National Congress, Mr. Nelson Mandela, speaking before the General Assembly, had declared that the countdown for democracy had begun in South Africa. In those words Mr. Mandela had encapsulated the Congress' assessment that the point of irreversibility had been attained in the process of the negotiations that had been taking place for nearly three years. During that period of difficult exchanges among political parties with diverse political outlooks, agreement had been reached on several fundamental questions.

3. Agreement had been reached, for instance, that on 27 April 1994 the first democratic elections in the history of the country would be held in South Africa. For the first time, all South Africans would have the right not only to vote but also to be elected to governmental organs. That was a milestone agreement, for the elections would close a tragic chapter in the history of South Africa, where the minority had always imposed its will on the majority. Agreement had also been reached on an interim electoral commission and an interim media commission to ensure that the elections were free and fair. On 23 September 1993, the South African Parliament had passed into law the agreements reached on the establishment of the Transitional Executive Council (TEC) covering key areas of government. Those mechanisms were considered by the majority of the negotiating parties to be an important prerequisite for the levelling of the political playing field. What remained was for agreement to be reached by the plenary meeting of the negotiating parties on the interim constitution, paving the way for the actual establishment of the Transitional Executive Council and other related bodies.

4. Although the objective of a democratic South Africa was within reach, the obstacles that lay in the path of such an outcome should not be overlooked. The first problem was the ongoing political violence afflicting the country. Free and peaceful activity was still hampered by the continued application of certain security laws. Such legislation was also found in the statute books of other

(Mr. Manuel, Observer, ANC)

administrations, including the so-called independent Bantustans. The multiparty negotiations had therefore been concentrating on that question. In that connection, the leaders of Bantustans such as KwaZulu, Bophuthatswana and the Ciskei must be prevailed upon to allow free political activity in those areas and end the unacceptable situation in which leaders and activists from ANC and the democratic movement as a whole were routinely attacked and even assassinated.

5. The issue of violence demanded the attention of the international community for two reasons. The first was the tragic scale of misery that it imposed on the country. During the month of October 1993, 462 deaths resulting from political violence had been reported, while the total number of deaths for 1993 stood at 3,521, 15 per cent higher than the figure for the same period in 1992. The second reason was that, if the violence was left unresolved, it would continue to have a negative impact on the negotiation process, and any delay in eliminating apartheid might in itself lead to the escalation of violence. Since waves of violence had always followed important breakthroughs in the negotiation process, it was to be expected that violence would increase as the election date approached. The African National Congress therefore welcomed the decision of the Secretary-General to strengthen the United Nations Observer Mission sent to South Africa pursuant to Security Council resolution 772 (1992). It was to be hoped that the various intergovernmental organizations that had sent observers to South Africa would also be able to increase their presence in the country to help address the question of violence.

6. He reiterated the position taken in the Security Council resolution that it was the South African Government which was principally responsible for ending the ongoing violence. All the other political parties had a responsibility to abide by the provisions of the National Peace Accord and strengthen the peace structures set up thereunder.

7. The second serious problem facing South Africa was to ensure that the process of democratization was all-inclusive. That genuine desire for national consensus, however, did not give any political party or grouping the right to hold the political process to ransom.

8. As the negotiations had moved forward, a number of parties with a very narrow national and regional base of support had begun to use arguments of federalism and confederalism to have inordinate powers concentrated in the regions so that the party that won nationally would wield very little or no power. For its part, the coalition of white right-wing parties represented the Afrikaner Volksfront, operating outside the framework of the multiparty negotiations, had been aggressively pushing its agenda of a separate white homeland. Predictably, the decisions adopted regarding the date of the elections, the Transitional Executive Council and other agreements had led to three parties, including the Inkatha Freedom Party (IEP), leaving the talks. Those parties had since established a relationship with the Afrikaner Volksfront under the banner of the Freedom Alliance. Twenty-three parties were continuing the talks.

(Mr. Manuel, Observer, ANC)

9. The African National Congress took the view that the parties which had walked out of the talks should be encouraged to return, since the contribution of every political player was critical. It had therefore continued to hold bilateral discussions with the Freedom Alliance, even as the multiparty talks were in progress, in order to give serious attention to their concerns. He warned those who were bent on sabotaging the process that the people of South Africa would not have their freedom delayed any longer. It was therefore imperative that they should seek to become part of the process.

10. In all those developments the role of the international community, and especially the United Nations, would be critical. Given the fact that close to 19 million people would be voting for the first time in their lives, United Nations expertise and resources in areas such as voter education and monitoring of polling stations would be greatly appreciated.

11. The CHAIRMAN recalled that at its 14th meeting, the Committee had decided to grant the request for a hearing from Prince Mangosuthu G. Buthelezi, Chief Minister of KwaZulu and President of the Inkatha Freedom Party (A/C.4/48/5/Add.8). The meeting would be suspended to allow Prince Buthelezi to enter the room.

The meeting was suspended at 3.40 p.m. and resumed at 3.45 p.m.

12. At the invitation of the Chairman, Prince Buthelezi (Chief Minister of KwaZulu and President, Inkatha Freedom Party (IFP)), took a place at the table.

13. Prince BUTHELEZI (Chief Minister of KwaZulu and President, Inkatha Freedom Party) said that his presence before the Committee was evidence of its even-handedness in its consideration of the South African issue. He paid a tribute to the international community, represented by the Committee, for its efforts over the past four decades in the struggle against apartheid. Although he had not always agreed with the strategies employed to destroy apartheid - sanctions, for example, had left South Africa's poor completely devastated - he could not question the motivation of those in the international community who so abhorred apartheid that they felt that any means should be used to destroy it.

14. He had rejoiced when President De Klerk had announced the abolition of apartheid on 2 February 1990, and had been particularly gratified to have been mentioned by him as one of the people who had helped him to reach the point of releasing Mr. Nelson Mandela and other political prisoners, allowing political exiles to return to South Africa and removing the ban on organizations such as ANC, the Pan Africanist Congress of Azania (PAC) and others. He had insisted for decades that such steps must be taken before he would sit down with a Head of State in South Africa to determine the constitutional future of the country. Only an all-inclusive solution could solve the problems of South Africa.

15. Alexis de Tocqueville had stated that the most risky time for an authoritarian regime was when it tried to reform itself. He was concerned that the real crisis evolving in South Africa was not understood at the United Nations because Member States had so prepared their hearts to accept any proposal for the transition from apartheid to democracy advocated by the ANC/South African Communist Party (SACP) alliance and the South African

(Prince Buthelezi)

Government that they turned a deaf ear to all else. After the many decades of apartheid and the opposition to apartheid that the United Nations had represented, he understood that point of view. However, it would be disastrous for South Africa to accept any solution now and to leave tomorrow's problems to tomorrow. Africa abounded with examples of just how intractable problems could become if newly-emerging nations were not founded on sound political and economic systems.

16. There was more internecine black-on-black violence in South Africa than there had ever been in any black country just prior to emancipation from racism or colonialism. There were many more millions of black South Africans living in South African urban areas who were totally dependent on weekly wage packets for life itself than anywhere else on the continent of Africa. In addition, there were millions of deprived whites in South Africa who were highly militarized and had access to transportation and communication advantages which no other counter-revolutionary force had ever had anywhere in Africa. Unless the negotiations succeeded in moving South Africa out of apartheid and into democracy, there could be such an explosion of violence that it would take decades, or perhaps generations, to recover the present opportunity. If the difficulties in the present negotiation process were left unresolved, the violence that had been occurring for the past nine years would escalate.

17. Approximately half of all South Africans rejected the two-phase process, advocated in the World Trade Centre negotiations, and they rejected the notion of an elected constituent assembly becoming the country's constitution-making body. That had happened only once in Africa, in Namibia, and was most inappropriate for South Africa. It would lead to a deeply polarized society, since the winners of the proposed election would be permitted to write the constitution as a reward for victory at the polls and the losers would reject the winning party's constitution. South Africans would not have the overriding national will to establish a democracy and to make it work.

18. He appealed to the African States Members of the United Nations to recognize the dangers inherent in the proposals being advocated by Mr. Mandela and Mr. De Klerk. In the past four years, the African continent had witnessed extraordinary political reform. Half of Africa's 51 States now had multiparty democracy, and at least 30 per cent of the remaining half were moving in that direction. It was, however, South Africa - singled out by the Organization of African Unity as especially troublesome - that had undergone the most fundamental transformation. South Africa was the last country on the African continent to dispose of dictatorial rule by a white minority. The abolition of apartheid not only meant the liberation of the black people in South Africa but had the potential to change the entire complexion of Africa by removing the costs of destabilization, broadening markets and bringing new investment and technology into the region.

19. In the past two years South Africa had undergone significant political developments, but it had yet to make the necessary progress to ensure all representative parties of equal democratic participation in the process of political transition. That equality had been elusive in the local communities, where escalating violence and destabilization had weighed heavily on the lives and security of his people. While many of the issues that fuelled violence were

(Prince Buthelezi)

specific to local-level actors, other solutions were beyond the scope of communities alone. Political tensions, socio-economic divisions, security and development were all problems that could be resolved only at the national level. The implementation of local-level peace agreements, which were strongly encouraged, was severely hampered by the existence of longer-term factors conducive to continued violence. No party had suffered as much as his own in the violence; 300 of its leaders, not to speak of thousands of its followers, had been killed. In April, IFP had therefore brought to the negotiating table the issue of violence as a priority issue that must be resolved, because there clearly could not be free and democratic elections as long as the violence remained at its current level.

20. The fears and uncertainties of black and white South Africans about the future of their country were real and had a profound bearing on the current constitutional negotiations. If the political settlement reached was unable to address those fears, the country would be forever plagued by conflict and dissent. South Africa was a society divided along political, ethnic, racial and religious lines. A political solution would require a Government which was committed to the task of nation-building but which at the same time recognized, respected, and, most of all, protected the civil rights of all groups and individuals, irrespective of their affiliation or preferences.

21. It was the belief of IFP that the political, cultural and material needs of each individual needed to be adequately addressed to achieve long-lasting political stability, democracy and economic prosperity. In South Africa, that was simply not possible in a unitary State; it could be achieved only through a federal system where each distinct region was given the right and the means to govern itself. There was, in fact, nothing politically heretical in speaking of a federal formula for South Africa. The different black nations which now comprised 80 per cent of the population of the country had in 1910 been brought into the Union of South Africa by force. The Kingdoms of Lesotho and Swaziland had subsequently chosen to be represented as independent nations at the United Nations, but he himself had for 30 years resisted attempts to cajole the Kingdom of KwaZulu to accept so-called independence on National Party terms, although it, too, was a sovereign nation which it had taken the full might of the British to conquer. His argument throughout had been that history had made the Zulus South Africans, once they had been coerced into the Union of South Africa, and that therefore they had the right to exercise self-determination by continuing to be South Africans, but on the basis of a federal formula.

22. Far more than any unitary alternative, it was the federal system, through its acceptance and accommodation of diversity, that held the key to uniting South Africa. By the same token, it was the federal system which IFP, along with organized business, believed to be essential for the economic growth and prosperity needed to lift South African society out of its current pit of poverty and depression. IFP wanted a system of government no different from that found in successful democracies throughout the Commonwealth: essentially, it was demanding a federal dispensation based on the internationally recognized principle of self-determination, which entitled homogeneous or harmonious communities residing in any given territory to choose their own destinies and ordain for themselves the government which best fit their needs and aspirations. Federalism was an enabling mechanism for democracy, and an effective deterrent

(Prince Buthelezi)

to a possible future dictatorship. Without a federal system in South Africa there was a real danger that the differing interests in its pluralist society would be ignored. Internecine strife elsewhere in Africa was warning enough against a one-party Government in a unitary State. South Africa, in particular, must avoid the kind of settlement that hoarded all power at the centre, thus emasculating the regions.

23. It was the firm commitment of IFP to a pluralist democracy under a federal Government that had cast it at odds with the outgoing South African Government and ANC, the party that still seemed bent on perpetuating one-party rule. Unfortunately for South Africa, the ANC/SACP alliance seemed directed towards exclusive and total control over the future Government, something he himself considered quite dangerous in his country's heterogeneous society. The future aspirations of ANC and the South African Government had become clear to all at the negotiating table. The Inkatha Freedom Party and the KwaZulu Government had joined the April 1993 multiparty negotiations in Johannesburg in good faith, on the assumption that all parties would be given an equal opportunity to put forward their demands and that those proposals would then be used as a basis for negotiation. They had soon realized, however, that, behind the renewed commitment to negotiations, behind the pledge for a peaceful transition to democracy, there still lurked within certain political organizations that disquieting and all too familiar "winner-take-all", authoritarian mind-set that had been intrinsic to the Government of the apartheid era. The longer the multiparty negotiations had continued, the more it had become clear, as IFP had realized at the outset, that the bilateral agreements reached between the Government and the ANC/SACP alliance prior to the multiparty negotiations would be forced through the Negotiating Forum for acceptance. Transparent negotiations would have been crucial to the building of trust and confidence in the country. Instead, the South African public had been subjected to a process shrouded in secrecy, rather than one that encouraged consultation and the participation of all concerned. All parties present at the Negotiating Council were expected to endorse tamely the outcome of secret deals struck between the Government and the ANC/SACP alliance. Even though it had originally been decided that any binding decision-making would be by consensus, a provision had been made in the standing rules of procedure for a "sufficient consensus" ruling to prevent an individual party from being obstructionist or holding the negotiation procedure to ransom.

24. Debate in the Negotiating Council had been dominated by proposals put forward by ANC and the Government, namely, for a two-phase transitional process embodying the demands of those two parties for the election of a Constituent Assembly that would draft the future constitution, and a lengthy period of transition followed by an additional election for a final unitary Government.

25. Those proposals had been rejected by IFP and the KwaZulu Government on the grounds that the next election should not be fought on the issue of who should draft the future constitution but should ask the people to endorse policy issues and ways of implementing agreed democratic options. IFP and the KwaZulu Government had wanted an opportunity to demonstrate to the Negotiating Council that significant support had been rallied for a one-phase process, with a single election for a democratic, federal system of government by September 1994.

(Prince Buthelezi)

26. In line with the basic principles of democracy, IFP had proposed that the future constitution of South Africa should be tested in a referendum before an election, and that it should be established by law so that its principles could not be changed without the consent of all South Africans. Such a constitution would therefore have to make clear provision for full political representation, permitting all constituent elements of South Africa's heterogenous society to be represented in the future Government, and ensuring that the rights of all citizens were protected.

27. Once the Constitution had been approved by all South Africans, there was no reason why the Negotiating Council could not set a date for final elections for a future Government as early as September 1994, without resorting to any type of transitional Government. IFP firmly believed that such an approach, far more than that proposed by the South African Government and the ANC/SACP alliance, would serve to speed up the transition and bring about democracy.

28. IFP was being consistent in its opposition to a two-phase system, having from the start urged a federal option. Indeed it should be recalled that, in all talks between IFP, ANC, and the front-line States in the years prior to the signing of the National Peace Accord in 1991, the principle of constitutional inclusivity had been espoused by all concerned. IFP had actually succeeded in having the "declaration of intent" adopted at the first session of the Convention for a Democratic South Africa (CODESA) amended to include the federal option as one of the constitutional proposals. That possibility, however, had been ruled out by the withdrawal of ANC from the CODESA negotiations in June 1992, and by the ANC mass action campaign designed to force majority rule. Above all, the "record of understanding" reached separately by Mr. De Klerk and Mr. Mandela dictating how the negotiations must proceed was the root of all subsequent problems.

29. On 15 June 1993, the KwaZulu/IFP motion to propose a federal model in the Negotiating Council had been rejected and the Council had proceeded to set an election date before any agreement had been reached not only on the priority issue of dealing with violence, but also on the form of the future State or the purpose of such an election. The flagrant disregard of their delegations' objection to the proposed course of action had left them no alternative but to walk out of the talks.

30. On 30 June, the Negotiating Council had instructed the Technical Committee on Constitutional Matters to draft a constitution that excluded federalism and empowered a Constituent Assembly. The date of 27 April 1993 had been set for the election of that Assembly, which would be mandated to draft the final constitution for South Africa. Once again, the KwaZulu/IFP objections to that undemocratic proposal had been totally ignored. Fundamental decisions on South Africa's future had been taken by the ANC/SACP alliance along with the South African Government and the ruling National Party, irrespective of the wishes of the other participants in the process and of the true needs and aspirations of the people of South Africa.

(Prince Buthelezi)

31. Those parties had marginalized all opposition by abusing the procedures laid down before the commencement of negotiations. Applying the notion of sufficient consensus, the presiding ANC-aligned Chairman had blatantly misused the agreed deadlock-breaking mechanisms to a degree that relegated other participants to a rubber-stamping function.

32. As a last resort, a motion had been filed in the Transvaal Supreme Court by the KwaZulu Government, with the full support of IFP, to challenge the notion and application of sufficient consensus with the aim of invalidating the decision to set an election date before agreement was reached on the form of the State or on the constitution, and setting aside the instructions to the Technical Committee on Constitutional Matters to draft the highly unrepresentative and undemocratic interim constitution currently under consideration by the Negotiating Council. The fact that the Court had refused to hear the case on the ground that the Negotiating Council was not a legal person in no way detracted from the objections of KwaZulu and IFP.

33. The South African Government and ANC envisaged the formation of a transitional government structure that would usurp the functions of the present Government for the benefit of ANC. The National Party was seeking political survival under a possible ANC/SACP majority through the establishment of a short-lived Government of national unity, with constitutionally mandated power-sharing provisions. That type of arrangement was ineffective and would unquestionably be wiped out by constitutional developments following the first election. Not only would the National Party suffer from its lack of foresight, but the future security of every citizen of the country would be placed at unnecessary risk.

34. Under the draft interim constitution, the constitution-making body would have the overriding say on the outcome of the final constitution, and all fundamental constitutional issues would be decided after the elections, by whichever parties were in the majority. The constitution-making body would be left to decide how much autonomy would be exercised by the regions, and whether such autonomy would be exercised as an exclusive or concurrent power subject to the national Government's overriding powers. In essence, the Constituent Assembly would be fully empowered to interfere with the financial and operational autonomy of existing self-governing Territories like KwaZulu or the TBVC countries (Transkei, Bophutatswana, Venda and Ciskei), leaving those regions with no means of political or judicial redress. There was no mechanism to compel the constitution-making body to transform the State from a unitary one into a federal or regional one. If the ANC/SACP alliance could rally the support of a 51-per-cent majority for the institution of such a body, a federal Government would never become a reality in South Africa. Indeed, on 23 June 1993, Mr. Mandela had declared that he rejected the federal option and he had subsequently reiterated that position publicly. The ANC/SACP alliance was fighting for the full take-over of the central apartheid structures, merely changing National Party policy for a policy of its own. South Africa would then once again be victim to the dictates of an all-powerful one-party State, with the voice of all other representative groups effectively silenced.

(Prince Buthelezi)

35. IFP believed that the South African Government had bargained away the certainty of constitutional structures capable of protecting freedom, democracy and pluralism for all citizens of South Africa - a costly price to pay for a few more years of government control during the period of transition. What the South African Government had failed to take into account was not only the fact that it was attempting to guide the people into a future governmental arrangement without any constitutional safeguards, but that the constitutional arrangements agreed to with the ANC/SACP alliance were so tenuous. Any Government which reached bilateral agreements with one political organization without the approval of its co-leaders or supporters and without involving other representative groups and parties, and which made concessions specifically designed to undermine the participation of other parties, could only lead the country into further chaos and despair. In South Africa's pluralist society, bilateral agreements of that nature could never be politically tenable.

36. Yet not even the withdrawal of the IFP/KwaZulu delegations from negotiations had seemed to deter ANC or the South African Government. They pressed on relentlessly towards their goals. In the short parliamentary session in September 1993, the South African Government had passed the Transitional Executive Council Bill, without IFP involvement at any stage. The implications of that Bill for the KwaZulu Government, and for regional autonomy in general, were alarming. Whether or not IFP and the KwaZulu Government participated in the Transitional Executive Council, decisions reached by that Council would be binding on them and on the other independent homelands.

37. The Transitional Executive Council was to establish a number of subcouncils, one of which, already established, was the Subcouncil on Local and Regional Government, whose overriding powers allowed it to take charge of all matters under the authority of the KwaZulu Government and the TBVC States. Its powers included the authority to review regional and local government matters administered by any Government, including the Government of KwaZulu; to amend, repeal or enact the laws of any regional or local government; and to decide on the budgets, powers and functions of regional and local governments, as well as transitional government measures and the demarcation of boundaries, in consultation with the Local Government Negotiating Forum, comprising the South African Government and the ANC-aligned South African National Civic Organization (SANCO). All subcouncils would be given the power to take away negotiated gains or guarantees of regional autonomy. In effect, the Transitional Executive Council could thus prevent the exercise of the right to self-determination and challenge the integrity of the nation.

38. The South African Government and ANC intended to legislate the draft interim constitution by November at the latest. The negotiations had reached a crisis, and if that crisis could not be resolved immediately, the sheer magnitude of the opposition against the unilateral moves by the Government to force upon the people a constitution which they rejected could increase the current tension and violence to the point of civil war - an outcome which was to be avoided at all costs.

39. That explained the urgency of the moves by IFP to disband the loose association of the members of the Concerned South Africans Group (COSAG) in order to form the Freedom Alliance, uniting various political groups and

(Prince Buthelezi)

Governments committed to joint action in halting the South African Government's intended two-phase transition. The Freedom Alliance was a political force which was opposed to the ANC/SACP alliance coming into power as a centrist ruling political party that would, inter alia, disband self-governing Territories like KwaZulu and bury federalism once and for all. The Freedom Alliance had reiterated in the strongest terms its total commitment to constructive and inclusive negotiations that would address the realities of the political situation in South Africa. It had provided South Africa with the vehicle through which millions of its citizens would finally be able to give expression to their political aspirations.

40. On 12 October 1993, the Freedom Alliance had drawn up a manifesto, in which all its constituent parties and organizations had committed themselves to the attainment of goals which would ensure long-lasting peace, freedom and democracy in southern Africa. They had committed themselves to free and democratic elections only after the adoption of a final constitution that would set limits to the power of the Government through checks and balances and would promote individual and collective rights. The people of his troubled land must be able to face elections knowing that they had the security of a constitution that protected the interests of all South Africans, regardless of what government came into power in the future.

41. In addition, the Freedom Alliance had committed itself to the attainment of the following goals. The political settlement reached in the final constitutional dispensation should not be repealed or modified in any way contrary to its provisions. Southern Africa should be organized into member States primarily responsible for the governance of their peoples, thus enabling them to express their right to self-determination. The power of all Governments should be constitutionally limited to preserve the integrity and pre-eminence of civil society and the constitutional autonomy of social and cultural groups and other institutions of civil society should be recognized and protected. Constitutionalism and the rule of law should prevail in southern Africa, and rigid guarantees should be established to ensure their supremacy. Cultural diversity and the rights of people, both as individuals and as members of the social and cultural groups to which they belonged, should be nurtured and protected. The boundaries of member States should be determined by the people of those States and not in a centralized process of negotiations. The constitutional problems of southern Africa should be resolved through negotiations based on consensus. The use of referendums should be confined to testing the acceptability of constitutional proposals on which consensus had already been reached on a multiparty basis. Negotiations should continue until a settlement was reached. Any arrangements and mechanisms must conform to the parameters of the final negotiated constitutional settlement and should neither be finalized nor implemented until that final settlement was properly secured. Lastly, the rights of people (individual and collective) and their fundamental needs and political aspirations should not be compromised by any arbitrary, unilateral attempts to disregard them; the people should preserve their undeniable right to self-determination, including the right to challenge, in any internationally acceptable manner, attempts to thwart any of their inalienable rights.

(Prince Buthelezi)

42. To clarify his position he emphasized his own personal links with ANC and its leaders during their years of exile, noting that he had had a close, long-standing friendship with Mr. Mandela both before and after his release from prison. Political attacks by ANC against his party had caused relations between them to cool in recent years. The objection by ANC to attendance by representatives of the KwaZulu Government at meetings of CODESA had prevented him from ever personally participating in the negotiations, although IFP had participated as a political party. He stressed that, despite its depiction in the media, IFP was a broadly-based political body and had never been an exclusively Zulu organization.

43. While attempts by third parties to effect a personal reconciliation and arrange a meeting between him and Mr. Mandela had come to naught, and while Mr. Mandela had always dissociated himself at the last minute from repeated attempts in the past to organize a joint IPF/ANC initiative to end the bloody clashes between their followers, he himself had recently responded positively to overtures by ANC regarding proposed dates on which he and Mr. Mandela could appear together to defuse the violence. The matter was currently in abeyance.

44. In conclusion, he said that IFP did not for one moment believe that the tasks which the members of the Freedom Alliance had set themselves would be easy to achieve. On the contrary, it expected that negotiations for an acceptable political settlement would continue to be marred by conflict and political deadlock. It also expected that its vision for a federal democracy would continue to be challenged. As long as it held to its goals for a just and democratic future for all, however, he had no doubt that the cause of democracy would one day triumph in his country.

45. Prince Buthelezi withdrew.

AGENDA ITEM 84: INTERNATIONAL COOPERATION IN THE PEACEFUL USES OF OUTER SPACE (continued) (A/48/20, A/48/221 and A/48/365)

46. Ms. ARYSTANBEKOVA (Kazakhstan) said that her country attached great importance to the question of international cooperation in the peaceful uses of outer space and had participated actively in research and other activities relating to that subject. For example, Kazakhstan had participated as an observer in the work of the thirty-sixth session of the Committee on the Peaceful Uses of Outer Space (COPUOS) and had taken the opportunity during that session to reiterate its desire to become a full member of that Committee.

47. In carrying out its space activities, Kazakhstan had been guided by the provisions of agreements concluded with other States of the Commonwealth of Independent States (CIS), in particular the Russian Federation, on joint activities in the exploration and use of outer space.

48. With respect to Kazakhstan's national space policy, she said that the national aerospace agency of Kazakhstan had identified three areas on which it should concentrate: the preservation and further development of the potential of the Baikonur launch site; compliance with the norms of international law, in particular, those relating to the peaceful uses of outer space; and the

(Ms. Arystanbekova, Kazakhstan)

expansion of international cooperation through the creation, in conjunction with other CIS States and other interested States, of an international space company and a space port at Baikonur. She also drew attention to the activities of the national aerospace agency of Kazakhstan in the fields of satellite remote sensing and data processing and to cooperative ventures with space agencies in other States in the use of the facilities at the Baikonur launch site. Kazakhstan was also making progress in the demilitarization of the space sector of the former USSR by placing it on a commercial basis and converting and rebuilding specific facilities at the Baikonur launch site.

49. The Republic of Kazakhstan, as the home of the Baikonur launch site, was striving to take an appropriate place among the world's space Powers. It believed that its space capability could help the country to meet its economic and scientific challenges and to advance its interests as a space Power. For example, its space sector had unique technology and experience in such areas as machine-building and the production of consumer goods, which could lead to interesting projects in the future. Government programmes for the training of specialists were already under way in the fields of communications, television and aircraft construction.

50. She expressed appreciation to the representatives of those Member States which had supported Kazakhstan's application for membership in COPUOS. Kazakhstan hoped that a decision on the matter would be taken at the next session of COPUOS.

51. Mr. XU Guangjian (China) said that COPUOS and other United Nations organs dealing with such matters had made a valuable contribution to the progress achieved to date in developing space science and technology and in applying those developments to serve the purposes of economic and social development. He referred, in particular, to the United Nations Programme on Space Applications, which, with the support of the Governments concerned and other competent international organizations, had been providing technical advisory services to a number of countries, particularly developing countries.

52. China attached great importance to the development and application of outer space technology and was currently administering a large number of projects involving the use of satellite technology in a variety of fields including education, natural resources management, and urban development planning. His Government had also supported the United Nations Programme on Space Applications by organizing, in cooperation with Pakistan and Thailand, the Asia-Pacific Workshop on Multilateral Cooperation in Space Technology and Applications. In addition, China was sponsoring trainees from developing countries and was cooperating with the United Nations to organize a workshop on the application of synthetic aperture radar in developing countries. It was also organizing a ministerial meeting of the Economic and Social Commission for Asia and the Pacific (ESCAP) on the application of space for development, to be held in Beijing on 23-24 September 1994.

53. He welcomed the reports submitted by COPUOS and its Subcommittees and, in particular, the adoption by the Legal Subcommittee of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space. Despite some remaining shortcomings, those principles would contribute to the safe use of nuclear power

(Mr. Xu Guangjian, China)

sources and the protection of the inhabitants of the earth and the earth's environment. He emphasized that the implementation of the principles should take precedence over any review or revision exercise.

54. With regard to the question of space debris in outer space, he said that China was prepared to join other countries in exploring ways and means of reducing it and he was gratified that the question had been placed on the agenda of the Scientific and Technical Subcommittee.

55. Miss KOSUMAS (Thailand) said she welcomed the opportunity to participate in the Committee's discussions on international cooperation on the peaceful uses of outer space. Thailand had benefited considerably from space-related technologies, in particular remote-sensing systems, and wished to see access to those technologies expanded further.

56. Her delegation shared the view of other delegations that outer space was by nature a common heritage of mankind. The time had come to discuss ways and means to promote broader and deeper international cooperation in the peaceful uses of outer space. Of particular interest to Thailand in that regard was the potential for space science in the solution of global environmental problems. There should be universal access to space-related science such as the use of remote sensing to monitor deforestation and manage natural resources. In that context, the United Nations Programme on Space Applications had played an essential role in disseminating information and knowledge on the applications of space science to the developing countries through its workshops, training courses and technical assistance programmes. She believed that those programmes were useful and should be expanded further.

57. Thailand supported regional cooperative efforts in the peaceful uses of outer space and welcomed the Santiago Declaration of April 1993 in which the Latin American States affirmed their commitment to the exploration and exclusively peaceful use of space. She hoped that regional centres for space science and technology education would be established in various regions of the world and said that Thailand had indicated a desire to host such a centre.

58. Since outer space was a vital part of the global environment, the use of power sources other than nuclear power should be encouraged in all space vehicles and the international community should devise effective measures and regulations to deal with the problem of space debris. She therefore welcomed the inclusion of the agenda items on space debris in the agenda of the next session of the Scientific and Technical Subcommittee.

59. Mr. Chirila (Romania), Vice-Chairman, took the Chair.

60. Mr. ORDZHONIKIDZE (Russian Federation) said that March 1994, which would mark the sixtieth anniversary of the birth of Yuri Gagarin, the first man in space, would provide an opportunity to consider the past and the future direction of humanity's activities in space.

(Mr. Ordzhonikidze, Russian Federation)

61. The annals of space covered only 35 years, but in that time unprecedented advances had been made. The destructive logic of the cold war had, however, distorted the revolutionary process of learning about space. Lethal weapons had been developed side by side with spacecraft and satellites. If material and intellectual resources had been applied to creation rather than destruction, achievements in space would have been greater. World developments should encourage new thinking about international activities in space. The United Nations, including COPUOS and its subcommittees, which together gave a lead in encouraging cooperation among States, had a leading role to play.

62. Success in the peaceful uses of outer space depended on the extent to which international efforts could be consolidated. The potential of interested States could be harnessed to the work of COPUOS. For that reason, his delegation supported the application for membership submitted by Kazakhstan, the country from whose territory the first satellite and the first astronaut had been launched.

63. Given the radical changes in international relations, his delegation shared the view that there was a need to promote confidence-building measures and openness. It attached particular importance to the question of finding ways and means of maintaining outer space for peaceful purposes, which had been a priority item on the agenda for nine years. The Committee could not boast of much success on that important matter. Year after year it could state only that it should play an important role in achieving that aim; it had not, to date, played that role. The Committee's potential in that direction should be properly realized.

64. The first step would be to encourage real cooperation between COPUOS and the Conference on Disarmament on issues connected with maintaining outer space for peaceful purposes. The various proposals on such cooperation put forward in the Committee had apparently received the Secretary-General's seal of approval in his report on the prevention of an arms race in outer space (A/48/305). He hoped that the differences between COPUOS and the Conference could be set aside, and that efforts would be directed towards the issues that united them. The Russian Federation had consistently been in favour of openness by Governments in matters relating to outer space, the achievement of security, the realization of space projects and the introduction of confidence-building measures. As confirmation that his country meant what it said, he pointed out that in May 1993 its space rocket defence system had been withdrawn from use.

65. Maintaining outer space for peaceful purposes was not, however, merely a matter of disarmament. It was equally important to develop ways of helping to meet human needs and concerns. One such concern was the environment. Space was part of the environment and, at the same time, the best point from which to observe harmful changes on the earth, in the air, and in the sea. His country was in favour of a system of global environmental monitoring from space. COPUOS should therefore examine the possibility of using space technology for environmental protection. Drawing attention to a Joint Declaration on the matter by the States members of the Commonwealth of Independent States and of Azerbaijan, Georgia and the Republic of Moldova (A/48/427), he said that he and others hoped to put forward a proposal for the introduction of such a monitoring system.

(Mr. Ordzhonikidze, Russian Federation)

66. No less important was the increasing pollution of space. Many countries had carried out scientific research in that area, but the time had come to coordinate their efforts. He hoped that the forthcoming discussion of the issue by the Scientific and Technical Subcommittee would be constructive. He emphasized that his country was ready to cooperate with other countries on equal terms; it would willingly share its space science and technology for the good of all States in the interests of development.

67. Lastly, he called for dialogue: collective wisdom was needed to chart the future progress of the use of space and a collective search should be undertaken for realistic solutions to that and related problems.

68. Mr. TELLES RIBEIRO (Brazil) said that 1993 had seen the launching of the first satellite built by Brazil, as well as the holding of the Second Space Conference of the Americas, in which Brazil had participated.

69. With regard to the question of space debris, he said that Brazil welcomed the decision taken by COPUOS that the question should be considered at the next session of its Scientific and Technical Subcommittee. He was confident that the deliberations in the Subcommittee would provide a solid scientific basis for the progressive development of international space law on that question.

70. On the question of nuclear power sources in space, he welcomed the suggestions of the Scientific and Technical Subcommittee and said that his country would be prepared to participate in discussions with a view to formulating higher protection standards than those currently provided under the Principles Regarding the Use of Nuclear Power Sources in Outer Space. Furthermore, his delegation supported the proposal for the convening of a third United Nations Conference on the Exploration and Peaceful Uses of Outer Space, and hoped that it would receive solid support from all States, in particular the space Powers.

71. Brazil regretted that the resources made available to the United Nations Programme on Space Applications remained meagre, despite the efforts of the United Nations Expert on Space Applications and the Office for Outer Space Affairs. He hoped that additional resources would be allocated to the Programme when the Committee came to discuss the budget for that area. He also encouraged other countries, especially those which were in a position to do so, to support the Programme through voluntary contributions. With respect to the question of establishing a centre for space science and technology education for the Latin American and Caribbean region, he said that the understanding in principle that had been reached among potential host and donor countries would soon be implemented.

72. With regard to the work of the Legal Subcommittee, he noted that member States had agreed not to review the Principles Relevant to the Use of Nuclear Power Sources in Outer Space, and that, after many years of little or no progress, encouraging signs could be detected in the Committee's discussion regarding the delimitation of outer space. Brazil had noted with interest the working paper presented by Colombia on the question of the geostationary orbit (A/AC.105/C.2/L.192) and believed that it represented an adequate starting-point

(Mr. Telles Ribeiro, Brazil)

for future discussions on the question. His delegation had also been heartened by the discussions in the Legal Subcommittee regarding the legal aspects related to the application of the principle that the exploration and utilization of outer space should be carried out for the benefit and in the interests of all States, taking into particular account the needs of the developing countries. He hoped that the Subcommittee would be able to discuss that item on an even more substantive level at its next session.

73. He noted that, as a result of the decision to relocate the Office for Outer Space Affairs to Vienna, COPUOS had recommended that its meetings and those of its Subcommittees should be held in Vienna, in line with the provisions of General Assembly resolution 40/243. In that connection, he welcomed the request of the Secretary-General that additional posts be allocated to the Office for Outer Space Affairs to enable the Office to service the meetings of the Legal Subcommittee.

74. Lastly, with regard to the question of the expansion of the Committee's membership, he said that the recent rise in the number of applications for membership reflected the Committee's growing prestige and effectiveness. While the question did not lend itself to an easy solution, he was confident that the principle of equitable geographic representation in the subsidiary bodies would be respected and that flexibility would be shown by all parties involved in the matter. In that connection, he welcomed the statement by the Chairman of COPUOS endorsing a limited enlargement of COPUOS.

75. Mr. ALLAREY (Philippines), said that while he welcomed the Secretary-General's report on international cooperation in space activities for enhancing security in the post-cold-war era (A/48/221), he would have liked it to focus more on the developmental impact of the uses of outer space as a more lasting basis for peace and security. The advances in space technology gave the international community the opportunity to ensure that such technology was effectively used to promote security in all its forms - political, military, economic and environmental - for the benefit of all countries.

76. He welcomed the fact that the 1994 session of the Scientific and Technical Subcommittee would deal with space applications for disaster prevention, warning mitigation and relief, a subject which was particularly relevant to the Philippines, given the volcanic eruptions, earthquakes, typhoons and other natural disasters from which it periodically suffered.

77. Developing countries in particular would benefit from a cooperative approach to space technology, an approach which would be well served by a third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE). His country believed that the proposed conference should squarely face the question of resources to implement many of the recommendations of UNISPACE 82, including increased funding for the United Nations Programme on Space Applications. Despite its meagre resources, the Programme had greatly helped Governments to raise the priority of space applications for development planning. A third UNISPACE Conference should likewise consider the question of

(Mr. Allarey, Philippines)

remote sensing, the cost of which was so high that access to it was limited. It was important to ensure the continuity and compatibility of remote-sensing systems and he deplored the growing commercialization of remote-sensing services. Possible solutions to be discussed at the Conference could be the provision of technical assistance for the establishment of remote-sensing centres for development and the establishment of fellowships for training in the use of that technology for economic development and environmental monitoring.

78. His delegation attached great importance to the role of international law in safeguarding outer space for peaceful purposes. It should protect the needs and interests of those with no space capabilities, taking into account the needs of developing countries. Only if the developmental goals of those countries were achieved could global peace and security be assured.

79. Mr. REY (Colombia) said that a careful analysis of the results of the previous United Nations Conferences on the Exploration and Peaceful Uses of Outer Space underlined the need for a third such Conference, especially if it was held in a developing country. It was important to ensure the attendance of the least developed as well as the most developed countries. First, however, the results of the Second Conference should be evaluated and objectives for the third defined.

80. He welcomed the inclusion of the issue of space debris in the agenda of COPUOS. He also welcomed the fact that in its future work the Working Group was to take into account the interests of all States. He added that it was of paramount importance to develop a mechanism for cooperation and coordination between COPUOS and the Conference on Disarmament on the development of the peaceful uses of outer space in general and the use of nuclear power sources in particular. His country had for many years been concerned to find ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunication Union (ITU). He was proud that a working paper submitted by Colombia (A/AC.105/C.2/L.192) formed the basis for future consideration of the matter. Where his delegation's approach differed from others was in its recognition that the previous principles had not provided for the most efficient use of the geostationary orbit. It was a limited natural resource which should therefore be used for the benefit of all humanity, especially the developing countries, but at the same time the relevant ITU Conventions should be taken into account.

81. His delegation's working paper recognized that the development of science and technology in the geostationary orbit was crucial to the development, at every level, of all States. Although the benefits of the 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, should apply to all, in practice they were enjoyed by only a few States. Under his country's proposal, international standards would be elaborated to ensure the widest possible access to space resources and technology. Pointing out that the proposal had been discussed as an unofficial document, he hoped that the next meeting of COPUOS could take note of it in its consideration of the geostationary orbit in accordance with General Assembly resolution 47/67.

(Mr. Rey, Colombia)

82. Lastly, he supported the application by Kazakhstan for membership in COPUOS. Its participation was both necessary and desirable for the sake of the contribution it could make and the opportunities it provided for greater cooperation in the region. It was also good to maintain the geographical balance of COPUOS by the inclusion of regional groups.

The meeting rose at 5.55 p.m.

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FORTY-EIGHTH SESSION

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SPECIAL POLITICAL AND
DECOLONIZATION COMMITTEE
(FOURTH COMMITTEE)
17th meeting
held on
Thursday, 11 November 1993
at 3 p.m.
New York

SUMMARY RECORD OF THE 17th MEETING

Chairman: Mr. KALPAGE (Sri Lanka)

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The meeting was called to order at 3.15 p.m.

AGENDA ITEM 84: INTERNATIONAL COOPERATION IN THE PEACEFUL USES OF OUTER SPACE (continued) (A/48/20, A/48/221, A/48/365; A/C.4/48/L.16)

1. Mr. RODRIGO (Sri Lanka) said that the new climate of international cooperation had created conditions under which the full potential of outer space could be developed as the true heritage of all humankind. It could play a positive role in arms regulation, disarmament and confidence-building rather than becoming an arena for confrontation.

2. Space technology benefited not only all human activities, but also the planet's complex ecosystem. It was therefore important to promote the widest possible access to such technology. Regretting that limited resources had restricted the United Nations Programme on Space Applications, he said that the Committee on the Peaceful Uses of Outer Space (COPUOS) faced a major challenge in working out innovative and practical measures to ensure that space technology was available to serve all countries. In that connection, regional approaches were particularly "user-friendly" for developing countries like his own. Among examples of useful regional projects were the proposed regional training centres - and Sri Lanka had offered to host such a centre in Asia - and the provision of technical advisory services on space applications for a programme to develop remote-sensing projects for coastal-zone management and monitoring in the Indian Ocean area jointly with the Indian Ocean Marine Affairs Cooperation.

3. He supported the proposal to hold a third United Nations conference on the exploration and peaceful uses of outer space (UNISPACE). In view of its great significance, however, he supported the view that the scope and objectives of a future UNISPACE conference should be very carefully agreed on in advance. India, a developing country which had achieved considerable progress in the development of space technology, had offered to host such a conference.

4. Mr. RIOBO (Chile) said that, although views might differ on how to achieve international cooperation in the peaceful uses of outer space, there was no doubt that such cooperation was compulsory and binding. As noted in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, one of the basic principles of the Charter was the duty to cooperate; and as stated in the preamble to the Declaration, outer space was not subject to national appropriation.

5. International cooperation was a recurrent theme in the relevant space legislation, which was why the work of the Legal Subcommittee on the benefits of space technology was particularly important. In that connection, the working paper submitted by Argentina, Brazil, Chile, Colombia, Mexico, Nigeria, Pakistan, the Philippines, Uruguay and Venezuela (A/AC.105/C.2/L.182) provided an important basis for future negotiations on a non-confrontational basis, since it respected the ability of all States to create structures for cooperation, provided they were guided by solidarity and fairness. Fairness in that context meant "unequal" treatment for the unequally endowed; it was aimed at implementing the principle of legal equality embodied in Article 38 of the

(Mr. Riobo, Chile)

Statute of the International Court of Justice in a world characterized by growing interdependence.

6. Space activities should be conducted in accordance with the guiding principles of space law, humanitarian assistance and international legislation on cooperation, their basic goal being to correct inequalities through the broad dissemination of information. The urgent environmental problems of the modern era required intensive use of the best technological means to neutralize the threats to the planet from the indiscriminate use of natural resources. The information provided by space technology would enhance security for all peoples. It therefore played a role in assisting humanity in general and was perfectly compatible with the new trends in international law.

7. In accordance with the concept of the common heritage of mankind that informed space legislation, the industrialized Powers should come to the aid of the more vulnerable countries, for example by providing them with information to help them combat poverty and attain a minimum level of well-being and development, as provided for in Article 55 of the Charter of the United Nations. The right to humanitarian assistance must be seen against that background and from a long-term perspective, for if States did not have access to crucial data about their own territories provided by satellite technology, they could not establish the conditions for a lasting and stable peace in a world increasingly prey to global threats.

8. The Government of Chile, aware of the need for space cooperation, had organized in April 1993 the extremely successful Second Space Conference of the Americas, which had also been attended by countries from outside the region. The Conference had underscored the importance of cooperation agreements as the only possible means of resolving many of the problems affecting the countries of the Americas, especially environmental deterioration. The Santiago Declaration adopted by the Conference, establishing a secretariat and a schedule of future conferences, reflected the understanding that transnational problems of that nature could not be taken on unilaterally and required a minimum institutional framework. Mention should also be made of the appeal in the Declaration to the United Nations system through the United Nations Office for Outer Space Affairs and the Economic Commission for Latin America and the Caribbean (ECLAC) to provide support to follow up the Conference resolutions. He was confident that ECLAC would give that mandate the attention it deserves.

9. Mr. HODGKINS (United States of America) said that the Committee on the Peaceful Uses of Outer Space was successfully focusing its efforts on serving as the chief protagonist for international cooperation in the peaceful uses of outer space in the United Nations system. Its achievements showed that the principle of consensus could work effectively. Mindful that strengthening international cooperation in that field implied the need for the Committee itself to improve its working methods, his delegation and others had put forward detailed proposals to that end over the past decade. They were gratified to see that many of those proposals had been adopted. Of particular note had been the productive discussions in the Scientific and Technical Subcommittee, where space scientists and experts were playing a central role. On the other hand, more remained to be done on the question of working methods, particularly in the Legal Subcommittee. He noted a willingness on the part of all Member States to

(Mr. Hodgkins, United States)

continue seeking those reforms that would make the Committee a more effective and efficient body in the United Nations system.

10. The spirit of cooperation embodied by the events of International Space Year 1992 had been a fitting celebration of the five-hundredth anniversary of Columbus's voyage to the new world and the thirty-fifth anniversary of the International Geophysical Year. In that regard, his delegation wished again to express its deep satisfaction with the work of the United Nations Programme on Space Applications in organizing the activities of the Year.

11. Another promising sign for the future was the potential for regional cooperation. In April his Government had participated actively in the Second Space Conference of the Americas. He thanked the Government of Chile for organizing the Conference, which had had impressive results, and COPUOS for its support. The Conference had been an important achievement in regional cooperation, which COPUOS had been advocating since UNISPACE 82. Although the utilization of space technology to solve problems on Earth must be considered from a global perspective, regional cooperation held great promise, and COPUOS should explore it fully.

12. The current year marked the thirty-fifth anniversary of General Assembly resolution 1348 (XIII), sponsored by the United States and 19 other States, establishing the ad hoc Committee on the Peaceful Uses of Outer Space, which had been made permanent in 1959. That resolution had established a clear separation between disarmament, which would be taken up in other United Nations forums, and international cooperation in the peaceful uses of outer space, to be addressed in COPUOS. The accomplishments of that Committee reflected the wisdom of the decision.

13. In conclusion, he repeated his delegation's full commitment to helping make the work of COPUOS as relevant as possible to the ever-expanding opportunities for international cooperation in space exploration.

14. Mr. VERDIER (Argentina), voicing his delegation's support for a third UNISPACE conference, said that the next session of the Scientific and Technical Subcommittee should be devoted to discussing the theme of such a conference. He also expressed strong support for the activities of the United Nations Programme on Space Applications, drawing attention to the rapid progress made on setting up a training centre for space science and technology in the Latin America and Caribbean region.

15. He particularly welcomed the inclusion of the issue of space debris in the Subcommittee's agenda, as Argentina had long advocated. It had on several occasions had the experience of such debris landing on its territory. He also welcomed the novel approach adopted in the proposal by the Russian Federation regarding the delimitation of outer space. Great interest had also been aroused by the idea of drawing up a questionnaire concerning aerospace objects (A/AC.105/C.2/L.189), which he was sure would shortly be approved. He further welcomed the ideas in the working paper submitted by Colombia (A/AC.105/C.2/L.192) regarding the geostationary orbit. Lastly, as one of the countries which had drafted the principles in document A/AC.105/C.2/L.182/Rev.1,

(Mr. Verdier, Argentina)

submitted by Colombia, Argentina and its co-sponsors were committed to revising the document in the light of the comments received.

16. Mr. STRAUSS (Canada) said that incentives and opportunities for international cooperation in space activities had never been stronger and that space activities constituted a privileged means of assisting development in many countries and of converting rivalries into partnerships.

17. In that connection, he referred to cooperative space activities in which Canada was involved, including a cooperative programme with the United States to develop a satellite-based instrument to measure carbon monoxide and methane levels in the Earth's atmosphere, and a satellite-based instrument developed jointly by the Canadian, French and American space agencies to measure the distribution of oxygen in the atmosphere around the globe. He also drew attention to Canada's contribution to the international space station project and to RADARSAT, a commercial remote-sensing system scheduled for launch in 1995, which would use synthetic aperture radar technology to provide data for resource management, environmental monitoring and Arctic and offshore surveillance. Canada was currently involved in collaborative data-collection efforts with several developing countries to investigate the potential role of RADARSAT in monitoring groundwater, desertification, natural disasters, oceans, agricultural regions, hydroelectrical developments and tropical forests.

18. Canada wished to express its satisfaction with ongoing efforts of Mexico and Brazil, with the support of other Latin American countries, to establish a Centre for Space Science and Technology Education in the Latin America and Caribbean region. His country was pleased to have been associated with the process of establishing the Centre, and looked forward to further progress in that regard. In addition, he hoped that as many countries as possible would join with Canada, France, the United States, the Russian Federation and 23 other countries that were active in the development of COSPAS-SARSAT, a satellite-based search and rescue system that had already saved over 3,000 lives world wide.

19. Canada had been pleased to note the decision by COPUOS to put the issue of space debris on the agenda of its Scientific and Technical Subcommittee and welcomed the growing awareness among nations of the increasing risks posed by space debris in both the low-Earth and the geosynchronous orbits. Canadian experts had participated in technical studies of space debris and in developing design modifications for the RADARSAT system in order to protect against collisions with debris.

20. Canada believed the Secretary-General's report on International cooperation in space activities for enhancing security in the post-cold-war era (A/48/221) to be a thoughtful examination of important recent developments as well as a framework for a more efficient use of space technology to preserve and enhance international security and to promote the common welfare of the planet. The manifold benefits to mankind of the peaceful uses of outer space highlighted the need for enhanced international dialogue. In that context, Canada was pleased to report the convening in Montreal of a meeting of States members of the Space Agency Forum to explore potential cooperative endeavours and to discuss projects involving space education and assistance to developing countries.

21. Mr. DIMITROV (Bulgaria) said that the recent dramatic changes in the global political landscape had paved the way for further progress in international cooperation in the peaceful uses of outer space. In that context, Bulgaria welcomed the decision to include the question of space debris on the agenda of the Scientific and Technical Subcommittee.

22. Bulgaria believed that the use of space technologies to address environmental questions should be, in general, a high priority of international space cooperation. He commended the steps taken by COPUOS and the Secretariat to promote the activities of the Committee and the Programme on Space Applications with a view to implementing the recommendations of the 1992 United Nations Conference on Environment and Development. In Bulgaria's view, the Programme on Space Applications, whose importance had been clearly demonstrated in practice, should continue to focus on long-term, task-oriented education in space technology, as well as on specific applications. He hoped that the wide-ranging activities scheduled for 1994 under the Programme would enhance the application of space technologies and the access of developing countries to them. In that connection, Bulgaria supported efforts to enhance international cooperation in the development of spin-off benefits of space technology and welcomed the inclusion of that question in the future agenda of COPUOS.

23. With regard to the work of the Legal Subcommittee, Bulgaria shared the favourable view expressed by the Chairman of COPUOS and by several delegations that the Subcommittee had made progress at its latest session. However, he felt that the Subcommittee's efforts should be accelerated to keep pace with the changing times, including the rapid progress in space exploration.

24. With regard to the proposal to convene a third UNISPACE conference, Bulgaria believed that further consultations should be held in order to discuss organizational questions such as scheduling, level of representation and funding, as well as the agenda, in order to avoid choosing issues already discussed by COPUOS.

25. In regard to his country's efforts in the field of space cooperation, he mentioned experiments in Bulgaria concerning the effects on humans of long-term presence in outer space with a view to building closed-cycle life-support systems. In addition, Bulgaria was participating in cooperative projects in such areas as remote sensing, space biology and medicine, space communications and weather forecasting. Despite its current economic difficulties, Bulgaria planned to intensify its bilateral and multilateral cooperation in those fields.

26. With respect to the question of expanding the membership of COPUOS, he said that Bulgaria would support a limited expansion on the basis of equitable geographical representation and hoped that the question could be settled in a timely manner.

27. Mr. KYRYCHENKO (Ukraine), after stressing how important the role of COPUOS was and would continue to be, said that his country's emergence as an independent sovereign State had enabled it to participate more fully on the world stage. Currently it was involved in putting its space know-how, which was considerable, to peaceful uses. Specifically, it was working on the demilitarization of the SS-19 and SS-24 strategic missiles sited in its territory. The hope was to use the carriers for probing missions in space, remote sensing of the Earth and the development of space technology. Ukraine,

(Mr. Kyrychenko, Ukraine)

as a world leader in remote sensing of the Earth, was directing its efforts towards setting up a national remote-sensing system for incorporation in the Programme on Space Applications. Work was in progress to develop a Ukrainian remote-sensing satellite, Okean-U.

28. Other satellites, such as Raduga and Geizer, were programmed for national space communications. Ukraine was developing its national Lybid communications satellite. Work was being done, in cooperation with foreign investors, on the Ariadna project, which consisted in a series of low-altitude global communications satellites. Ukraine also participated, both financially and scientifically, in several other space projects. On its own account, it was developing a space aviation system on the basis of the wide-bodied Mriya aircraft.

29. To show its commitment to the peaceful use of outer space, Ukraine was prepared to share its scientific-research vessels Akademik Sergei Korolev and Kosmonavt Yuri Gagarin, which were outstandingly well equipped. Tu-95 strategic aircraft of the Ukrainian military air force would also be useful for remote sensing of the Earth. Such joint projects held considerable commercial possibilities. His country also had good training facilities. There were a number of higher-education institutions in a position to provide specialized space training for students from other countries.

30. His country was committed to the peaceful use of outer space. It was clear, however, that the legal aspects needed to be fully worked out; that could only be achieved by joint efforts, both bilateral and multilateral, on the part of States. In that context he supported the application by Kazakhstan, which had made a large contribution to space technology, to become a member of COPUOS.

31. Mr. ABDERAHMAN (Egypt) said that international cooperation in the peaceful uses of outer space, one of the most important forms of collective action, extended to fields like communication, remote sensing and environmental protection, and that legal principles must therefore be developed to ensure that all countries had access to outer-space activities and benefited from them. States with advanced space programmes had a special responsibility to help developing countries that lacked the needed infrastructures, resources and technical know-how to build indigenous space capabilities for peaceful uses. Egypt supported the COPUOS initiative in that direction.

32. The Scientific and Technical Subcommittee should report on any technological developments that might require updating of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space. His delegation commended the decision to have that Subcommittee take up the subject of space debris, a serious environmental issue. It also recognized the importance of remote sensing by satellite for monitoring the Earth's environment. In addition to the free distribution of meteorological information world wide, other arrangements should be made to provide access to remote-sensing data and data reception at a reduced cost.

33. Also high on the agenda must be the goal of preventing further militarization of outer space, given the dual-use nature of space technology. The Treaty on Principles Governing the Activities of States and the Exploration

(Mr. Abderahman, Egypt)

and Use of Outer Space, including the Moon and other Celestial Bodies, the current legal regime in force, needed development, as did the legal provisions governing peaceful uses; and COPUOS had a special responsibility in that regard to complement the interrelated work being done in other bilateral and multilateral forums. The potential benefits of international cooperation in space activities, as in the case of disarmament, through transparency and confidence-building measures, had been discussed in document A/48/221, and the time was ripe for the innovative thinking proposed in the recommendations in that report.

34. Egypt was particularly supportive of the United Nations Programme on Space Applications and had offered to host the United Nations International Workshop on Basic Space Science in Development Programmes in 1994.

35. Mr. LOTFI (Islamic Republic of Iran) said that implementation of the recommendations of UNISPACE 82 would help bring the benefits of space programmes to a great number of States and peoples, especially in the developing world. The Islamic Republic of Iran commended the initiative to establish regional centres for space science and technology education under the United Nations Programme on Space Applications, and his country was prepared to host the Asian centre, having allocated an annual sum of $1.5 million for that purpose and selected highly skilled professors from national agencies like the Iranian Remote Sensing Centre and from three major Iranian universities to staff the centre. It was looking forward to the report of the United Nations evaluation mission sent to Tehran for the purpose.

36. As part of the activities of International Space Year 1992, it had already hosted an international seminar on remote sensing of the environment and space applications in December 1992. Moreover, the fourteenth Asian conference on remote sensing had been held in Tehran in October 1993, attended by experts from more than 25 countries and dealing with a broad range of topics. His delegation commended the decision to include the issue of space debris in the agenda of the Scientific and Technical Subcommittee, and supported the convening of a third UNISPACE conference, especially in a developing country.

37. Mr. AYEWAH (Nigeria) welcomed the inclusion of the issue of space debris as a separate item in the agenda of the Scientific and Technical Subcommittee. He hoped the Legal Subcommittee would shortly start devising legal guidelines governing the generation and clean-up of such debris. He regretted that progress had not been made in the definition and delimitation of outer space. His delegation was also concerned that a number of recommendations emanating from UNISPACE 82 had yet to be fully implemented. There should be free exchange of scientific and technological information and transfer of technologies to assist developing countries. In that connection his country had offered to host the African regional centre for space science and technology education. It had recently hosted the third United Nations/European Space Agency Workshop on Basic Space Science for developing countries, the aim of which was to raise the awareness of African scientific communities and to enhance national and international cooperation.

38. He endorsed the appeal to the international community to provide additional financial assistance to the United Nations Programme on Space Applications,

(Mr. Ayewah, Nigeria)

which developing countries found relevant to their developmental needs. His delegation also supported an appropriate expansion of the membership of COPUOS on the basis of equitable geographical distribution. Lastly, he fully supported the proposals for a third UNISPACE conference, which could chart a course of action for the twenty-first century.

39. Mr. KHAN (Pakistan) said that Pakistan fully shared the view that outer space was the common heritage of all mankind. Appropriate measures should be devised for the transfer of space-related technology to developing countries on an equitable basis. The implementation of the recommendations of UNISPACE II would be an important step in that direction. Of equal importance was the need to arrest the trend towards over-commercialization of space-technology applications.

40. It had been Pakistan's consistent position that outer space should be used only for peaceful purposes. In 1992, Pakistan's space activities had covered such areas as remote-sensing data applications and environmental studies; satellite-communication research; atmospheric research and environmental-pollution studies and ionospheric research. Several seminars and short courses had been hosted by Pakistan, and work was in progress on its second experimental satellite, Badr-B, to be launched towards the end of 1994.

41. In addition to fostering international cooperation in outer space activities, the COPUOS had a legitimate interest in supporting efforts to prevent the militarization of outer space. His delegation favoured a comprehensive convention to prevent an arms race in outer space, including interim measures. The legal and scientific aspects could be considered by the two subcommittees of COPUOS, in an effort that would be complementary to that of the Conference on Disarmament.

42. COPUOS had important achievements to its credit, such as the recent agreement on a set of Principles Relevant to the Use of Nuclear Power Sources in Outer Space. Although there was merit in the argument that the Principles might need to be reviewed in the light of new technological developments, that review should not become an end in itself.

43. Considerable work remained regarding the other items on the agenda of the Legal Subcommittee, such as the definition and delimitation of outer space and the character and utilization of the geostationary orbit. On the latter question, some interesting proposals had been put forward, providing a useful basis for further discussion. Equally important was an early agreement on the principle that the exploration and utilization of outer space should be carried out for the benefit and in the interest of all States, taking into particular account the needs of developing countries.

44. His delegation was pleased to note that space debris would be included as a new item on the agenda of the Scientific and Technical Subcommittee. It also welcomed the recommendation that that Subcommittee should review the report prepared by the Secretariat on the role that COPUOS could play in the area of environment and development.

(Mr. Khan, Pakistan)

45. The increasing interest of States in the peaceful applications of space technology should be reflected in the expansion of the membership of COPUOS on the basis of equitable representation. In his delegation's view, COPUOS would benefit from the participation of States with known capabilities in space technology. It therefore fully supported the application of Kazakhstan.

46. Ms. TANZIL (Indonesia) said that the review of the work of the Scientific and Technical Subcommittee in implementing the recommendations of UNISPACE 82 had shown that considerable work remained to be done in that regard. She reiterated the view of other developing countries that additional resources were needed to meet the objectives of UNISPACE 82 and she appealed to the advanced States to increase their voluntary contributions substantially to that end.

47. She thanked the Office for Outer Space Affairs for its support of the United Nations Regional Conference on Space Science and Technology, hosted by Indonesia in May 1993. She also reiterated Indonesia's full support for the establishment of regional centres for space science and technology education and pointed out that Indonesia had already submitted a proposal to host such a centre for the Asia-Pacific region.

48. In view of the importance of remote-sensing technology to developing countries, she had appreciated the Subcommittee's decision to accord priority to that field and shared the concerns expressed by other delegations regarding the increasing commercialization of remote sensing. The technology needed to be made cost-effective so as to enable developing countries to benefit. Furthermore, international efforts would continue to be necessary to ensure continuity, compatibility and complementarity of remote-sensing systems. Regular meetings between satellite and ground-station operators and users would be a welcome step.

49. In view of the need for greater attention to the question of protection and preservation of the outer-space environment and to the relationship between the Earth's environment and that of outer space, she welcomed the recommendation to include an item concerning space debris on the agenda of the Scientific and Technical Subcommittee, and she hoped that the international community would coordinate efforts and facilitate research on the question.

50. With regard to the work of the Legal Subcommittee, she emphasized the importance of the question of the geostationary orbit. Her delegation deemed it a matter of urgency to establish a legal regime on the exploitation of the geostationary orbit in the interests of all developing nations, including the equatorial countries. As to the legal aspects governing the optimum utilization of outer space for the benefit of all States, she commended the progress made towards finding common ground. In the Subcommittee, a number of States belonging to the Group of 77 had submitted a useful working paper on that question.

51. Lastly, she noted that the Secretary-General's report (A/48/221) outlined a number of innovative ideas for the use of space technology to enhance international security. Of particular relevance was the proposal that regional cooperative mechanisms could improve access to space technology for economic and environmental security. Indonesia endorsed especially the recommendation for

(Ms. Tanzil, Indonesia)

the establishment of regional databases to promote wider participation by developing countries in cooperative space activities.

52. Mr. SY (Senegal) said that the new global dynamic that would put scientific progress at the service of development raised the hopes of the developing countries in particular that a judicious application of space technology could help them in their struggle to preserve their threatened environment. Although space was the common heritage of humankind, Africa lacked the capabilities for active participation in the conquest of space, and must therefore rely on international cooperation that took account of the real needs of the developing countries.

53. Assistance was required particularly in the area of training, and hence the offer of training fellowships by certain countries was especially welcome, as were the seminars, workshops, training courses and conferences organized by the United Nations. Such meetings would permit the application of space technology to development needs, based as they were on on-the-spot scientific study of concerns like desertification, drought and natural disasters. As a result, renewable energy resources would be able to be harnessed, climate changes tracked more accurately, and the environment studied in greater depth.

54. Senegal supported the convening of a third United Nations conference on outer space in a developing country, and also the establishment of regional centres for space science and technology education, having in fact offered to host one such centre because of its interest in renewable energy resources and its experiences as a Sahelian country.

55. African nations should take a greater interest in space technology; the discovery and conquest of space to allow greater mastery of the environment on Earth should be the concern of all countries wanting to keep pace with scientific progress in order to offer their people the best possible living conditions. International solidarity was, however, required. The inclusion of an item on space debris in the agenda of the Scientific and Technical Subcommittee was an example of such international cooperation.

56. Regarding the possibility of expanding the membership of COPUOS, he noted that the Group of African States had decided to endorse the membership of Senegal, and hoped that the endorsement would be supported by the other members of that Committee.

57. Mr. RAHIM (Malaysia) said that Malaysia had noted with interest the work of COPUOS and its two Subcommittees to implement the recommendations of UNISPACE 82. As a developing country, Malaysia was keen to enhance its knowledge of space sciences and welcomed the free exchange of scientific and technological information recommended by UNISPACE II. Moreover, Malaysia welcomed the Conference's recommendation for the transfer of space technology to developing countries. It supported the initiative to establish regional centres for space science and technology education and reiterated its offer to host such a centre for the Asia-Pacific region.

58. Malaysia commended the efforts of the Chairman of COPUOS to continue consultations with a view to enlarging the membership of that Committee.

(Mr. Rahim, Malaysia)

Furthermore, in view of the opportunity to share, learn and contribute further to the advancement of space technology that membership in COPUOS represented, he reiterated his country's desire to become a member.

59. As a country which had been actively involved in the field of the environment and sustainable development, Malaysia recognized that questions of environmental conservation transcended borders and also applied to outer space. Any environmental degradation in outer space had an impact on all States. For that reason, his delegation looked forward to the report of the Scientific and Technical Subcommittee outlining the actions to be taken by the United Nations system to implement the relevant provisions of Agenda 21, in particular those relating to the expansion of the Programme on Space Applications.

60. Lastly, Malaysia supported the proposal to hold a third Conference on outer space. He agreed, however, with the Chairman of the Group of 77 on the need to define the objectives and related issues before taking a final decision.

61. Mrs. RIBADENEIRA (Ecuador) observed that the promotion of the peaceful uses of outer space required international cooperation and solidarity in ensuring that the results would be of universal benefit. There must be no discrimination in access to space technology.

62. The Scientific and Technical Subcommittee had made very encouraging progress, and she welcomed the inclusion in its agenda of a new item on space debris. Ecuador was interested in the possibility of holding a third UNISPACE conference, which must have broad support if it was to be successful, and believed that it should be held in a developing country.

63. There was a need to establish a special legal regime to govern use of the geostationary orbit. It should ensure the right of all States to take advantage of the orbit, and should take into account the needs of the developing, and especially the equatorial, countries. The orbit must be used for the benefit of all humankind, and thus it was crucial for the Legal Subcommittee to establish clear, equitable norms so that the benefits of space exploration would extend to all countries, regardless of their degree of development or technological capability. Since it was possible that such a natural resource would become saturated, safeguards had to be set up to guarantee future access to the orbit to all States. Moreover, legal provisions governing the delimitation of outer space must be drawn up in order to foresee and avoid possible sources of conflict between nations.

64. Ecuador had no objection to increasing the number of members of COPUOS, provided that it was done on the basis of equitable geographical distribution.

65. Ms. McKAY (Australia) said that since super-Power rivalry had receded, her Government would like to see even a fraction of the enormous resources once devoted to the arms race turned to the peaceful uses of outer space. It welcomed the information from countries like China and India with vast areas and large rural populations that they were using space technology for social and economic development, and from other countries like Kazakhstan that they were converting former military facilities to civilian purposes.

(Ms. McKay, Australia)

66. Australia welcomed the agreement to add the issue of space debris to the agenda of the Scientific and Technical Subcommittee, and hoped that it would lead to good management practices and mechanisms for the exchange of information regarding that growing problem.

67. Australia was prepared to join the consensus on the holding of a third UNISPACE conference, to be hosted by India, because the results of the rapid advances in space research needed to be disseminated as quickly and widely as possible, but agreed that clear goals must be set for the conference and that there must be adequate preparation and proper timing. Participation in such a conference must be as broad as possible, and any recommendations that might come out of it should be achievable. It should be noted that not all the recommendations of UNISPACE 82 had yet been implemented.

68. Australia had participated in a number of activities in the Asia-Pacific region designed to assist the countries of the region to develop their indigenous capability to benefit from the applications of science and technology. It had shared its knowledge in fields as diverse as rural education and remote sensing, had funded the development of a space-technology capability in the Philippines and had provided equipment to the Remote Sensing Centre of the Economic and Social Commission for Asia and the Pacific (ESCAP). It had also attended numerous regional multilateral meetings aimed at developing cooperative arrangements, and was active in the meetings leading to an ESCAP-sponsored ministerial meeting on space applications for development to be held in September 1994. Moreover, Australia was collaborating on a commercial basis with its near neighbour, Indonesia, in the use of the latter's communication satellite, Palapa. That was the kind of reciprocity which Australia expected to see develop quite rapidly in its region and which it warmly welcomed.

69. Australia joined with other delegations which had called for a critical evaluation of the work and agenda of the Legal Subcommittee in the interests of greater efficiency. No doubt the law in that rapidly growing field needed development, but, there did not yet appear to be a need for meetings of three weeks' duration. Australia supported consideration of a limited expansion of COPUOS membership without further delay, in keeping with the changes in the world order.

Draft resolution A/C.4/48/L.16

70. Ms. KEHRER (Austria), speaking on behalf of the Chairman of the Working Group on International Cooperation in the Peaceful Uses of Outer Space, introduced draft resolution A/C.4/48/L.16, under item 84. She said that hard work on the part of the Working Group had succeeded in fusing the various elements of the resolution into a whole and she hoped that the Committee would be able to adopt it without a vote.

71. Mr. MIRAILLET (France), supported by Morocco, suggested that the words "inter alia" should be inserted following the word "include" in the first line of footnote 1 of the draft and that the words "and ARABSAT" should be added at the end of the sentence.

72. Ms. RODRIGUEZ (Mexico), supported by Brazil, suggested that paragraph 8 of the resolution should be revised to conform with the version adopted by the Working Group.

73. Draft resolution A/C.4/48/L.16, as orally revised, was adopted without a vote.

The meeting rose at 5.23 p.m.